

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

SALVATORE CIPRIANO,

Debtor,

CASE NO. 14-14826

HON. LAWRENCE P. ZATKOFF

R.A.M. PRODUCE DISTRIBUTORS, LLC,

Appellant,

v.

SALVATORE CIPRIANO,

Appellee.

(Bankr. Case No. 14-48527)

ORDER TO SHOW CAUSE

On December 19, 2014, R.A.M. Produce Distributors, LLC (“Appellant”), filed a Notice of Appeal [dkt. 1], purportedly to appeal the December 4, 2014, Supplemental Opinion to Bench Opinion Issued on November 25, 2014, and Order Granting Defendant’s Motion to Dismiss Counts III and IV of Plaintiff’s Complaint. Also on December 19, 2014, this Court docketed a Notice of Receipt of Bankruptcy Appeal [dkt. 2]. Pursuant to Rule 8018(a)(1) of the Federal Rules of Bankruptcy Procedure, Appellant was obligated to file its appellant brief with this Court no later than January 20, 2015. Appellant has not, however, filed anything with the Court since filing its Notice of Appeal.

Accordingly, the Court hereby ORDERS Appellant TO SHOW CAUSE, in writing, no later than 5:00 p.m. on February 4, 2015, as to why this case should not be dismissed for failure to prosecute. Appellant’s response shall contain specific and accurate legal support, including pinpoint citations to authority relied upon, and shall be limited to ten pages and comply with E.D. Mich. L.R. 5.1. If Appellant does not respond to the Order to Show Cause prior to 5:00 p.m. on February 4, 2015, the Court shall dismiss Appellant’s appeal.

In addition, to the extent that Appellant desires to pursue its appeal, the Court hereby ORDERS Appellant to file its appellant brief with the Court no later than 5:00 p.m. on February 4, 2015. In the event Appellant fails to file its appellant brief prior to 5:00 p.m. on February 4, 2015, the Court shall dismiss Appellant's appeal. Fed. R. Bankr. P. 8018 (a)(4) ("If an appellant fails to file a brief on time . . . the district court or BAP, after notice, may dismiss the appeal on its own motion.").

IT IS SO ORDERED.

Date: January 21, 2015

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE